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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/799,369

03/12/2004

Elena V. Bolchakova

1560.002US1

6361

22896 7590 10/27/2008

MILA KASAN, PATENT DEPT.  
APPLIED BIOSYSTEMS  
850 LINCOLN CENTRE DRIVE  
FOSTER CITY, CA 94404

EXAMINER

HUTSON, RICHARD G

ART UNIT

PAPER NUMBER

1652

MAIL DATE

DELIVERY MODE

10/27/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10799369	3/12/2004	BOLCHAKOVA ET AL.	1560.002US1

MILA KASAN, PATENT DEPT.  
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**EXAMINER**

Richard G. Hutson

ART UNIT	PAPER
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20081024

**DATE MAILED:**

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**Commissioner for Patents**

The reply filed on 7/30/2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants amendment of applicants specification on page 2 of applicants response is improper and unclear on at least two basis. First applicants reference to paragraph number [0126] is unclear. It is suggested that applicants refer to paragraphs of applicants specification by page and line number of applicants specification. Second it is noted that applicants state "Please add the following new paragraph number [0126]", when it appears that applicants intent more likely is to replace the original paragraph with the "new" paragraph as opposed to adding the new paragraph. It is further noted that applicants have elected the nucleic acid polymerase of SEQ ID NO: 22, in the telephone interview of 1/31/2007, as stated in the office action of 2/15/2007, page 2, 4th line from the bottom of page, and the continued inclusion of SEQ ID NOS: 13-21 and 23-28 in the claims is objected to as being drawn to non-elected subject matter.

See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard G. Hutson whose telephone number is 571-272-0930. The examiner can normally be reached on M-F, 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nashaat T. Nashed can be reached on 571-272-0934. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Richard G Hutson, Ph.D./  
Primary Examiner, Art Unit 1652

